



Application for Minor Variance or Permission

Section 45 of the *Planning Act*, R.S.O. 1990, as amended
Committee of Adjustment

The submission of an application to the municipality for minor variance or permission is provided for in the Ontario Planning Act. This form must be submitted and accompanied with the required fee, technical drawing, and supporting documents, prior to consideration by the Committee.

It is the responsibility of the applicant or agent to make sure the application is complete, accurate and clearly identifies the required variances. Staff are not permitted to complete the form. Failure to provide all of the required information may result in processing delays of the application.

This information sheet is to assist persons in completing the application. Please contact the [Community Services Branch](#) should you require clarification on the application. For a complete reference to the planning process, please consult the Planning Act.

A pre-consultation meeting is required with staff prior to the submission of the application.

Application Fee

The application fee of \$1,500 is to be paid at the time of application, by cash, cheque or debit to the "Town of Arnprior".

Note: The fees prescribed herein do not include extra meetings, the processing of objections or any functions relating to a Local Planning Appeal Tribunal hearing. Prior to undertaking any of these matters, the applicant shall enter into an agreement with the Municipality wherein the applicant agrees to reimburse the municipality in accordance with the fees established at that time. The municipality will only require an agreement for costs relating to a Local Planning Appeal Tribunal hearing when the municipality is a proponent of the application.

Application Submission

The submission of this application must be accompanied with the technical drawing(s), supporting information, and required fee. The owner of the land, or the applicant, shall complete the following application form and the owner's authorization/declaration and submit along with the necessary documents to: Community Services Branch, Town of Arnprior, 105 Elgin Street West, Arnprior, ON K7S 0A8 Phone: (613) 623-4231 ext. 1816 or Email: planning@arnprior.ca

Collection of Information

Personal information on the following forms is collected under the authority of the Planning Act and will be used by the Town of Arnprior Community Development Branch in the processing of applications for minor variance. The information may be used by other departments and agencies for the purpose of assessing the proposed development and for preparing comments to the Community Development Branch. This information may also be released to the public. Questions about the collection of this information should be directed to the Clerk's Department.

Procedures for Processing an Application

Pre-Application: The applicant pre-consults with the Town Planner to determine application requirements and related issues and concerns. This pre-consultation may require involvement of other municipal departments and local agencies.

Application Submission: The Town receives the complete application, technical drawing, supporting information, and required fee. The Town Planner will determine if the application is deemed complete.

The Town Planner arranges a Committee of Adjustment hearing date with the members and applicant. The Committee of Adjustment consists of four (4) members of the public and one (1) Councillor. They are a quasi-judicial body which renders decisions on applications, with or without conditions.

Application Circulation: The public hearing is required under the Planning Act and the municipality requires a minimum ten (10) day notice period. Notices are circulated according to Ontario Regulation 200/96, to required agencies and to all assessed landowners within 60 metres of the lands affected by the application. The ten (10) day notice period begins the day the notices are mailed. A notice sign is also placed at the property.

Public Hearing: The Committee of Adjustment holds the public hearing. The Committee will review the purpose of the application, review staff comments, agency comments and correspondence and allow the public an opportunity to make comment or question the application. Based on the outcome of the hearing, a decision will be made to grant, refuse or defer until further information is received. Conditions may apply to the granting of a minor variance.

Appeal Period: The Planning Act requires a twenty (20) day appeal period which begins the day the notice of decision is issued. Notices under Ontario Regulation 200/96 are circulated to those requesting notice of decision. When the appeal period lapses without appeal, the decision is considered to be final.

The municipality, applicant, or any other person or public body who has requested a copy of the Committee's decision may appeal the decision of the Committee of Adjustment within the twenty (20) day period by filing an appeal with the Local Planning Appeal Tribunal for a fee.

Time Frame: The pre-application process varies depending on the complexity of the application. The process from receipt of the complete application to final approval typically takes forty-five (45) days plus the required twenty (20) appeal period. Appeals or concerns raised at the public hearing may delay the process.

I have read and understand the application process and understand my role within it.

Signature: _____ Date: _____



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Committee of Adjustment

Minor Variance – Section 45 (1)

Permission – Section 45 (2)

Part 1 – Contact Information

1. Applicant/Property Owner Information

Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

2. Agent Information

Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

3. Solicitor Information

Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Correspondence should be sent to:

Property Owner

Agent

Solicitor

Part 2 – Property Information

1. Address and Legal Description

Civic Address: _____

Roll Number: _____

Geographic Twp: _____

Concession/Lot: _____

Registered Plan: _____

Block/Lot No.: _____

2. Property Description

Frontage Road (m): _____

Frontage Water (m): _____

Area (ha): _____

Depth (m): _____

3. Easements or Restrictive Covenants

Please describe: _____

4. Date the subject lands were acquired by owner:

5. Access to the property is by (check applicable):

Provincial Highway

Municipal Road

Seasonal Municipal Road

Right-of-Way

Waterbody: _____

6. If the only access is by water, please state the parking and docking facilities to be use and distance of this facilities from the subject land to the nearest public road.

Please describe:

Distance to nearest public road: _____

7. Indicate how water is supplied to the subject lands (check applicable):

Publicly owned and
operated piped water
system

Privately owned
and operated
communal well

Privately owned and
operated individual well

Lake or waterbody

Other means: _____

8. Indicate how sewage disposal is provided to the subject lands (check applicable):

Publicly owned and
operated piped
sanitary system

Privately owned
and operated
communal septic

Privately owned and
operated individual septic

Privy/Outhouse

Other means: _____

9. Storm drainage is provided by (check applicable):

Sewers

Swales

Not Applicable

Ditches

Other means: _____

Part 3 – Existing and Proposed Uses

1. What are the existing uses of the subject land and, if known, how long have they continued?

Use: _____ Since: _____

Use: _____ Since: _____

Lands are vacant

2. What are the proposed/future uses of the subject land?

Please describe:

Part 4 – Existing and Proposed Structures

1. Are there any buildings or structures on the subject land (check applicable):

Yes

No, vacant

2. Are there any **new** buildings, structures, or additions proposed (check applicable):

Addition to an existing building

New main building

Deck addition to existing building

New accessory building

Demolition and rebuilding with addition

Not applicable

Other: _____

3. Please provide the following details for all existing or proposed buildings or structures on the subject land (use a separate page if necessary):

Main Building/Structure

	Existing	Proposed
Type of building or structure		
Front yard setback		
Rear yard setback		
Side yard setback		
Side yard setback		
Height (m)/ Storeys		
Dimensions/Floor Area		
Date Constructed		

Accessory Building/Structure

	Existing	Proposed
Type of building or structure		
Front yard setback		
Rear yard setback		
Side yard setback		
Side yard setback		
Height (m)/ Storeys		
Dimensions/Floor Area		
Date Constructed		

Note: The setback is measured from the closest part of the lot line/road/waterbody to the nearest point of the building. Please ensure that the setbacks and dimensions in the table match those shown on the technical drawing.

Part 5 – Details of the Application

1. What is the current designation of the subject land in the Official Plan?

2. What is the current zoning of the subject land in the Zoning By-law?

3. Please explain what you propose to do on the subject land which makes this application necessary?

4. Nature and relief from Zoning By-law:

Section(s) of Zoning By-law:

Zoning Provision/Requirement:

Proposed Provision/Requirement:

Relief/Difference:

5. Please explain the reason(s) why the proposed use cannot comply with the provision(s) of the Zoning By-law (use a separate page if necessary)?

6. Is the proposal consistent with the Policy Statements Issued under subsection 3(1) of the Planning Act, 1990, R.S.O as amended? (check applicable):

Yes

No

Unknown

Please explain:

Part 6 – Previous and Concurrent Applications

1. Is the subject land also the subject of an application for approval of a plan of subdivision or consent (severance, easement, lot addition) under Sections 51 or 53 of the *Planning Act*?

Yes

No

Unknown

If yes, please state, if known, the file number and status of application:

File No: _____ Status: _____

2. Has the subject land ever been the subject of an application for a previous minor variance under Section 45 of the *Planning Act*?

Yes

No

Unknown

3. Has the subject land ever been the subject of a Minister's Zoning Order?

Yes

No

Unknown

If yes, please state, if known, the Ontario regulation number of that Order:

File No: _____ Status: _____

Part 7 – Technical Drawing

On a separate page(s), please provide a technical drawing, preferably prepared by a qualified professional, showing the following. In some cases, it may be more appropriate to prepare additional drawings at varying scales to better illustrate the proposal.

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line, and the side yard lot lines;
- The approximate location of all natural and artificial features on the subject land and on the land adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded area, wells, and septic tanks;
- The current uses on the land that is adjacent to the subject land;
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
- If access to the subject land is provided by water only, the location of the parking and docking facilities to be used;
- Date of preparation of the technical drawing;
- North arrow and scale to which the sketch is drafted (e.g. 1 cm = 50 m);
- The locations and dimensions of off-street parking spaces and off-street loading facilities;
- Planting strips and landscaped areas.

Note: The technical drawing, in conjunction with the application form, is the basis for the analysis of the minor variance application. It is strongly recommended that the applicant spend the necessary time to carefully prepare the drawing. Any application which does not include the above required information may not be accepted.

Part 8 – Authorization, Permission and Declaration

1. Authorization for Agent (if applicable)

I/We, the undersigned, being the registered property owners of the subject land, authorize an agent for the purpose of submitting an application and acting on my/our behalf in relation to said application.

Name of authorized agent: _____

Signature of Property Owner(s)

Date

2. Permission to Enter Subject Land

For the purposes of this application, the Owner/Applicant/Agent grants permission to the members of the Committee of Adjustment and relevant staff to enter upon the said property for inspection purposes, during normal and reasonable working hours. The Owner will not be held responsible or liable if any accident or injury occurs.

Signature of Property Owner/Agent

Date

3. Acknowledgement of Additional Requirements

I/We, the undersigned, do acknowledge the potential need for additional studies and/or legal review may be required by the municipality as a part of the review of my/our application. Should the need arise, I/we are responsible for completing the studies as requested in order for the application to be deemed complete and review to proceed. If other documentation/supporting material becomes necessary, you will be contacted and this information must be submitted prior to your application proceeding.

Signature of Property Owner/Agent

Date

4. Declaration of Prescribed Information (must be signed in the presence of a Commissioner)

I/We, _____, of the _____ do solemnly declare that all of the above statements contained in the application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath and by virtue of the *Canada Evidence Act*.

Sworn (or declared) before me at the _____ this _____ day of _____

Signature of Property Owner/Agent

Signature of Commissioner of Oaths

5. Agreement to Indemnify (must be signed in the presence of a Commissioner)

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Arnprior (“the Municipality”) from all costs and expenses that the Municipality may incur in connection with the processing of the Application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the Application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant’s Application.

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Local Planning Appeal Tribunal, with a deposit (over and above the normal application fee), from which the Municipality may, from time to time charge any fees and expenses incurred by the Municipality in order to process the application. If such appeal expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the municipality, with interest at the rate of 1.25% per month on accounts overdue more than 30 days.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the Application is not paid when due, the Municipality will not be required to process or to continue processing the Application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the Application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

Sworn (or declared) before me at the _____ this _____ day of _____
_____.

Signature of Property Owner/Agent

Signature of Commissioner of Oaths